

would not be out in the open. But back to the bill itself...

SENATOR HANNIBAL: Time is up.

SENATOR CHAMBERS: Oh. When I speak again I will get to the bill itself.

SENATOR HANNIBAL: Thank you, Senator Chambers. Senator Schmit, please, followed by Senator Nelson.

SENATOR SCHMIT: Mr. President and members, I apologize. I have missed most of the debate on the bill and I may ask some questions which have already been answered. But Senator McFarland raised the question of whether or not the passage of this bill would place the university between...in the position of either having to disregard a Nebraska statute or an NCAA rule. And I'm not so sure just how that NCAA rule applies but I sometimes find myself in a situation on this floor where, in the areas of agriculture, we are tempted to pass legislation relative to environmental issues and other issues which are in direct conflict with some of the requirements perhaps of the federal farm program and thereby making a...putting a farmer in a position where he would have to violate either one of those rules and regulations which has the force of law at the federal level or else a state statute. I do not know the, because I have absolutely no experience in the area of the university and the NCAA, but I would like to know if Senator McFarland, if he would explain again in some detail just exactly how this places the University of Nebraska in a position of either having to disobey a state statute or an NCAA rule and what the consequences of that would be. Would you do that, please, Senator McFarland.

SENATOR McFARLAND: Yes, I will try to as quickly as I can, Senator Schmit. The bill, itself, says that no college or university shall adopt or promulgate or enforce any rule that would require a student to forego financial aid grant made available to the financial aid students by federal law, solely on the basis of or as a condition of participation by such student in an intercollegiate athletic program or sport. The problem, the primary problem is with regard to the nonscholarship athlete. If there is a nonscholarship athlete who has been recruited or encouraged to come to the university and he or she is eligible for financial aid, if he or she accepts that financial aid, then one of two things must happen.